

REMARKS

The Examiner's objection to the informality found on Specification page 1 has been remedied by Amendment A (and Renewed Petition), filed April 29, 2005.

Claims 1 to 7, 11, 12, and 15 have been canceled as being directed to a non-elected invention.

Independent method claims 8 and 13 have been amended. Dependent method claim 14 has been canceled, because its subject matter has been incorporated into amended claim 13.

Method claims 8 to 10 and 13 remain in the application. Of these, claims 8 and 13 are the independent claims.

Claims 8 to 10 and 13 stand rejected under 35 U.S.C. § 102(b) based upon Brindley (US 3,870,051). Claim 13 also stands rejected under 35 U.S.C. § 102(b) based upon Lu et al (US 4,585,005).

Independent method claims 8 and 13, as amended, define the selection of an electrical signal having an amplitude, applying the electrical signal at the selected amplitude to the electrode to selectively stimulate the targeted component, and without substantially changing the selected amplitude, selecting between a first frequency or range of frequencies to achieve a first desired physiologic response and a second frequency or range of frequencies to achieve a second desired physiologic response different than the first physiologic response. Support for the amendment can be found, e.g., on Specification page 9, lines 5 and 11.

Brindley does not teach or suggest maintaining a selected amplitude while changing frequencies. Instead, Brindley changes intensity (i.e., amplitude) (as summarized in the Abstract). Lue discloses a single desired physiologic response (penile erection), and does not teach or suggest achieving different physiological responses through the application of an electrical signal having a selected amplitude at different frequencies, without substantially changing the amplitude.

Applicant respectfully submits that the amendment to claim 13 also obviates the Examiner's provisional obviousness-type double patenting rejection.

Claims 8 to 10 and 13 are pending and believed to be in condition for allowance. If the Examiner believes that questions or matters of clarification remain, and that such matters can be

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Amendment B

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handled expeditiously by an interview, either in person or by telephone, to advance prosecution of this case, the applicant is committed to proceed on that basis.

Respectfully Submitted

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